IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 13TH AUGUST 2007 / 22ND SRAVANA 1929

Bail Appl..No. 4969 of 2007()

CMP.5154/2007 of J.M.F.C.-III,NEYYATTINKARA
CRIME NO.53/2007 OF AMARAVILA EXCISE RANGE

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PETITIONER/ACCUSED

SANTHOSH, S/O.PALAYYAN,
KIZHAKKEKARA PUTHUVAL PUTHEN VEEDU,
VENKOTTUKUZHY, KAVALLOOR DESOM, KEEZHAROOR VILLAG,
NEYYATTINKARA TALUK.

BY ADV. SRI.PIRAPPANCODE V.S.SUDHIR
SRI.R.V.SREEJITH

RESPONDENTS: COUNTER PETITIONER

STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 13/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

B.A.No.4969 of 2007

Dated this the 13th day of August 2007

O R D E R

Application for regular bail. The petitioner faces allegations under the Kerala Abkari Act. He was allegedly found to be in possession of 5 litres of arrack on 29/7/2007. He was arrested and continues in custody from that date. The learned Public Prosecutor submits that there is one more case pending against the petitioner alleging commission of offence punishable under the Kerala Abkari Act.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer on condition that the investigating officer is granted reasonable further time to complete the investigation and I am satisfied that regular bail can be granted to the petitioner subject to appropriate conditions.

3. In the result, this petition is allowed. The petitioner can now be enlarged on bail on the following terms and conditions:

i) The petitioner shall not be released on bail on the strength of this order prior to 20/08/2007. The investigating officer, in the meantime, make every endeavour to complete the investigation.

ii) He shall execute a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

iii) The petitioner shall make himself available for interrogation before the investigating officer between 10 a.m and 12 noon on all Mondays and Fridays for a period of two months and thereafter as and when directed by the investigating officer in writing to do so.

(R.BASANT, JUDGE)

jsr

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007

(R.BASANT, JUDGE)

jsr

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007